IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WA.No. 650 of 2007

(AGAINST THE JUDGEMENT IN WPC.7375/2007 Dated 06/03/2007)
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APPELLANT/PETITIONER:

M/S.SOUTHERN INVESTMENTS PVT.LTD.,
HHYS BUILDING, IST FLOOR, RAJAJI ROAD,
KOCHI-682 018. REPRESENTED BY ITS DIRECTOR,
JACOB CHANDY.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS/RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF REVENUE, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, ERNAKULAM.

3. THE TAHSILDAR, KANAYANNOOR TALUK,
KOCHI-11.

BY SPL.GOVT.PLEADER FOR TAXES SRI.MATHEW.G.VADAKKEL.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

W.A. NO. 650 OF 2007

Dated this the 12th day of March, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

Counsel appearing for the appellant submits that an opportunity may be given to the appellant to produce various documents before the Tahsildar.

2. Considering the facts and circumstances of the case, we feel, it is appropriate that the appellant be given an opportunity to produce relevant documents before the Tahsildar within a period of two weeks from today in the event of which the Tahsildar would take note of the documents and pass appropriate orders in accordance with law, after affording an opportunity of being heard to the appellant.

3. In such circumstances, we are inclined to quash Ext.P9 Notice as also the demand notice pursuant to Ext.P9. We make it clear that we are not expressing any opinion on the merits of the case, but direct the Tahsildar to pass fresh orders, after perusing the documents to be produced by the appellant.

K.S.RADHAKRISHNAN,
Acting Chief Justice

M.N.KRISHNAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007